



**CITY OF BUCKEYE
REGULAR COUNCIL MEETING
JULY 5, 2016
MINUTES**

**City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.**

1. Call to Order/Invocation/Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m. Linda Gross of S.E.A.M. International led the invocation. Vice Mayor Hess led the Pledge of Allegiance.

Members Present: Councilmember Garza, Councilmember Orsborn, Councilmember McAchran (via telephone), Councilmember Heustis, Vice Mayor Hess, and Mayor Meck.

Members Absent: None.

Departments Present: Assistant City Manager Roger Klingler, City Attorney Scott Ruby, City Clerk Lucinda Aja, Deputy City Clerk Summer Stewart, Assistant to Council Carol Conley, Assistant Police Chief Mark Mann, Fire Chief Bob Costello, Finance Director Larry Price, Human Resources Director Nancy Love, Public Works Director Scott Lowe, Economic Development Director Len Becker, Water Resources Director Dave Nigh, Community Services Director Cheryl Sedig, Public Information Office Bob Bushner, Development Services Director George Flores, Information Technology Director Greg Platacz, Planning Manager Terri Hogan, and Construction and Contracting Manager Chris Williams.

2A. Comments from the Public.

Martha Sims-Green presented concerns related to customer service.

Gina Ragsdale stated her interest in Downtown Buckeye being designated as a historic neighborhood.

2B. Awards/Presentations/Proclamations – None.

3. Minutes

A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve the minutes of the May 31, 2016 Council Workshop, June 7, 2016 Council Workshop, and June 7, 2016 Regular Council Meeting.

4. Expenditures

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to ratify the payment of the accounts payable expenditures made. Motion passed unanimously. Copies of invoices are available at City Hall.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters. A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve Consent Items *5A. and *5B. Motion passed unanimously.

***5. New Business**

- *5A. Council to take action on approval of the Agreement between the City of Buckeye and the Greater Phoenix Economic Council (GPEC) for Fiscal Year (FY) 2016-2017 in the amount of \$26,898.**

Staff Liaison: Len Becker, Economic Development Director

Council approved the Agreement between the City of Buckeye and the Greater Phoenix Economic Council (GPEC) for Fiscal Year (FY) 2016-2017 in the amount of \$26,898.

- *5B. Council to take action on Resolution No. 37-16 approving the new and increased fees and charges for services and programs rendered by the Community Services Department; providing for repeal of previous fees and charges for services and programs of the Community Services Department; and providing for an effective date.**

Staff Liaison: Cheryl Sedig, Community Services Director

Council adopted Resolution No. 37-16 approving the new and increased fees and charges for services and programs rendered by the Community Services Department; providing for repeal of previous fees and charges for services and programs of the Community Services Department; and providing for an effective date.

- *5C. Council to take action on approval of the Professional Services Agreement between the City of Buckeye and Burch & Cracchiolo, P.A. (Contract No. 2016-016) in the amount of not to exceed \$200,000.**

Staff Liaison: Bob Costello, Fire Chief

Councilmember Garza declared a conflict of interest and recused himself from discussion and voting. A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve the Professional Services Agreement between the City of Buckeye and Burch & Cracchiolo, P.A. (Contract No. 2016-016) in the amount of not to exceed \$200,000. Motion passed unanimously.

6. Continued / Tabled Items – None.

7. Public Hearings / Non-Consent - New Business

- 7A. Council will hold a Public Hearing regarding the request for annexation of two (2) parcels containing approximately nine (9) acres generally located at the northeast corner of MC85 and Watson Road (Old Jones Ford Site).**

Staff Liaison: Adam Copeland, Senior Planner

Mayor Meck opened a public hearing at 6:13 p.m. to hear citizen input regarding the annexation request. Mr. Copeland provided an overview of the request for annexation of two (2) parcels containing approximately nine (9) acres generally located at the northeast corner of MC85 and Watson Road in District 3. This site was previously owned by Jones Ford and was recently purchased by the City as part of the Jones Ford Development Agreement. The Planning and Zoning Commission recommends approval. Annexation of this property will allow for future permits associated with the building and site improvements to process more efficiently. An annexation ordinance will be brought back to Council for further action. There being no further comment, Mayor Meck closed the public hearing at 6:15 p.m.

- 7B. Council will take action on Ordinance No. 10-16 levying upon the assessed valuation of the property subject to taxation within the City of Buckeye, Maricopa County, Arizona a certain sum to provide funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2017.**

Staff Liaison: Larry Price, Finance Director

Mr. Price provided an overview of Ordinance No. 10-16 levying upon the assessed valuation of the property subject to taxation within the City of Buckeye, Maricopa County, Arizona a certain sum to provide funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2017. It is a State requirement that the City establish the tax levy necessary for funding the Annual Budget. This ordinance establishes a tax levy of \$6,114,649 as set forth in the Fiscal Year 2016-2017 budget. The estimated rate required to produce the tax levy is \$1.8000 per One Hundred Dollars (\$100.00) of assessed valuation. A motion was made by Councilmember Orsborn and seconded by Councilmember Heustis to adopt Ordinance No. 10-16 levying upon the assessed valuation of the property subject to taxation within the City of Buckeye, Maricopa County, Arizona a certain sum to provide funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2017. Motion passed unanimously.

- 7C. Council will take action on Ordinance No. 06-16 adopting the establishment and levy of an annual assessment by the Governing Body of the following Street Lighting Improvement Districts: SLID #1, comprised of Sun City Festival Units A1 and B1; SLID-2006-001, comprised of Vista De Montana Phase 1A, 1B, 2, 3; SLID 2006-003, comprised of Blue Horizons; SLID 2006-007, comprised of Festival Foothills Phase 1; SLID 2006-008, comprised of Festival Foothills Phase 2; SLID 2006-009, comprised of Crystal Vista; SLID 2006-011, comprised of Sun City Festival Units C1 through H1 and Unit V1; SLID 2006-015, comprised of Riata West Unit 2; SLID 2006-016, comprised of Sonoran Vista Units 1 and 2; SLID 2006-017, comprised of Riata West Unit 1; SLID 2006-019, comprised of Sun City Festival Units K1, O1, M1, and R1; SLID 2007-001, comprised of Sundance Parcel 27; SLID 2007-002, comprised of Sundance Parcel 25; SLID 2007-003, comprised of Sundance Parcel 26; SLID 2007-010, comprised of Watson Estates; SLID 2007-013, comprised of Sun City Festival Units I1 and P1; SLID 2007-021, comprised of Sun City Festival Unit J1; SLID 2009-02A, comprised of Watson Marketplace; SLID 2011-001, comprised of Sundance/Yuma Commercial; SLID 2012-002 comprised of Sienna Hills; SLID 2013-002, comprised of Sun City Festival Parcel L1; and SLID 2015-001, comprised of Estrella Vista at Buckeye (City of Buckeye, Arizona), for Fiscal Year 2016-2017 beginning July 1, 2016 and ending June 30, 2017 upon each property within the District, a certain sum sufficient to raise the amounts estimated to be required in the Annual Budget.**

Staff Liaison: Scott Lowe, Public Works Director

Mr. Lowe provided an overview Ordinance No. 06-16 adopting the establishment and levy of an annual assessment of the Street Lighting Improvement Districts (SLIDs). SLIDs are established with the approval of City Council, who serve as the Governing Body of each SLID; the City administers the operations of the SLID, which are for the purpose of operating and maintaining street lighting located within the SLID. It is a State requirement that the Governing Body of the SLIDs establish and levy an annual assessment necessary for funding the Annual Budget. The annual assessment on each property within each SLID will pay operating costs for street lights located within the District for Fiscal Year 2016-2017. The total levy for each SLID are as follows: \$27,307.74 for SLID #1; \$16,067.52 for SLID-2006-001; \$20,904.94 for SLID 2006-003; \$15,028.65 for SLID 2006-007; \$3,963.36 for SLID 2006-008; \$3,408.56 for SLID 2006-009; \$29,819.13 for SLID 2006-011; \$13,270.42 for SLID 2006-015;

\$15,006.60 for SLID 2006-016; \$9,892.84 for SLID 2006-017; \$15,520.09 for SLID 2006-019; \$3,795.66 for SLID 2007-001; \$2,377.52 for SLID 2007-002; \$1,724.80 for SLID 2007-003; \$8,325.02 for SLID 2007-010; \$3,723.83 for SLID 2007-013; \$4,384.29 for SLID 2007-021; \$5,167.68 for SLID 2009-02A; \$1,462.68 for SLID 2011-001; \$8,313.27 for SLID 2012-002; \$3,012.73 for SLID 2013-002; \$12,633.52 for SLID 2015-001. A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to adopt Ordinance No. 06-16 adopting the establishment and levy of an annual assessment by the Governing Body of the following Street Lighting Improvement Districts: SLID #1, comprised of Sun City Festival Units A1 and B1; SLID-2006-001, comprised of Vista De Montana Phase 1A, 1B, 2, 3; SLID 2006-003, comprised of Blue Horizons; SLID 2006-007, comprised of Festival Foothills Phase 1; SLID 2006-008, comprised of Festival Foothills Phase 2; SLID 2006-009, comprised of Crystal Vista; SLID 2006-011, comprised of Sun City Festival Units C1 through H1 and Unit V1; SLID 2006-015, comprised of Riata West Unit 2; SLID 2006-016, comprised of Sonoran Vista Units 1 and 2; SLID 2006-017, comprised of Riata West Unit 1; SLID 2006-019, comprised of Sun City Festival Units K1, O1, M1, and R1; SLID 2007-001, comprised of Sundance Parcel 27; SLID 2007-002, comprised of Sundance Parcel 25; SLID 2007-003, comprised of Sundance Parcel 26; SLID 2007-010, comprised of Watson Estates; SLID 2007-013, comprised of Sun City Festival Units I1 and P1; SLID 2007-021, comprised of Sun City Festival Unit J1; SLID 2009-02A, comprised of Watson Marketplace; SLID 2011-001, comprised of Sundance/Yuma Commercial; SLID 2012-002 comprised of Sienna Hills; SLID 2013-002, comprised of Sun City Festival Parcel L1; and SLID 2015-001, comprised of Estrella Vista at Buckeye (City of Buckeye, Arizona), for Fiscal Year 2016-2017 beginning July 1, 2016 and ending June 30, 2017 upon each property within the District, a certain sum sufficient to raise the amounts estimated to be required in the Annual Budget. Motion passed unanimously.

7D. Council will take action on Resolution No. 52-16 approving Amendment No. 2 to the Tartesso Amended and Restated Development Agreement between the City of Buckeye, Arizona, and Stardust Foundation, Inc., Tartesso Land Fund (2012) Limited Partnership, VHS Acquisition Subsidiary Number 12, Inc., Robert J. Jastrzab and Regina S. Jastrzab, Hawk Holdings, LLC, and the Worth Living Trust dated June 9, 2015.
Staff Liaison: Ed Boik, Senior Planner

This item was heard concurrently with item 7E. Mr. Boik provided an overview of the Amendments. Approval of this Amendment will extend all remaining incremental construction performance deadlines 10 years and the expiration of the Tartesso (East) Amended and Restated Development Agreement will be extended by 10 years. Approval will allow for orderly and sequential development of Tartesso East, located in District 4. Public input has been sought with no known opposition. Staff recommends approval. The applicant was available for questions. Benefits of extending deadlines were provided; it ensures the master plan will move and continue forward during the duration of the development. Mr. Boik clarified there are 5,600 acres in Tartesso West and 6,700 acres in Tartesso East; approximately 1,000 acres have been developed. A motion was made by Councilmember Heustis and seconded by Councilmember Orsborn to adopt Resolution No. 52-16 approving Amendment No. 2 to the Tartesso Amended and Restated Development Agreement between the City of Buckeye, Arizona, and Stardust Foundation, Inc., Tartesso Land Fund (2012) Limited Partnership, VHS Acquisition Subsidiary Number 12, Inc., Robert J. Jastrzab and Regina S. Jastrzab, Hawk Holdings, LLC, and the Worth Living Trust dated June 9, 2015. Motion passed unanimously.

- 7E. Council will take action on Ordinance No. 14-16 approving Amendment No. 3 to the Tartesso West Development Agreement and approving Amendment No. 3 to the Tartesso West Community Master Plan (CMP).**
Staff Liaison: Ed Boik, Senior Planner

This item was heard concurrently with item 7D. Mr. Boik provided an overview of the Amendments. Approval of these Amendments will extend all remaining incremental construction performance deadlines 10 years and the expiration of the Tartesso West Development Agreement will be extended by 10 years. Approval will also bring the Tartesso West CMP into alignment with adopted transportation studies and the General Plan and will allow for the orderly development of Tartesso West, located in District 4. Benefits of extending deadlines were provided; it ensures the master plan will move and continue forward during the duration of the development. Mr. Boik clarified there are 5,600 acres in Tartesso West and 6,700 acres in Tartesso East; approximately 1,000 acres have been developed. A motion was made by Councilmember Heustis and seconded by Councilmember Orsborn to adopt Ordinance No. 14-16 approving Amendment No. 3 to the Tartesso West Development Agreement and approving Amendment No. 3 to the Tartesso West Community Master Plan (CMP). Motion passed unanimously.

- 7F. Council will take action on authorizing the City Manager to negotiate and execute a contract with Danco Specialties, LLC for renovations to north, south and west grandstand bleachers at the Rodeo Grounds in an amount not to exceed \$150,000.**
Staff Liaison: Scott Lowe, Public Works Director

Mr. Lowe provided an overview of the request to approve funding for renovations to grandstand bleachers at the Helzapoppin Rodeo Grounds. The renovations will bring the bleachers up to ADA and current building code requirements. Installation of chain-link on front railing of south end bleachers and entrance platforms will prevent accidental fall through. General seating will be increased by approximately 180 on the north bleacher. The Rodeo Grounds are generally located between Miller Road and 4th Street and north of Narramore Avenue and the Buckeye Irrigation Canal in District 1. A vicinity map was displayed. Mr. Lowe provided additional information related to the aluminum bleachers. A motion was made by Councilmember Heustis and seconded by Councilmember Orsborn to authorize the City Manager to negotiate and execute a contract with Danco Specialties, LLC for renovations to north, south and west grandstand bleachers at the Rodeo Grounds in an amount not to exceed \$150,000. Motion passed unanimously.

- 7G. Council will take action on the approval of the use of the Tourism Tax Fund to support bringing the Vietnam Memorial Wall to Buckeye in April of 2017 in an amount not to exceed \$10,000.**
Staff Liaison: Larry Price, Finance Director; Cheryl Sedig, Community Services Director

Ms. Sedig provided information related to the request to approve the use of the Tourism Tax Fund, in an amount not to exceed \$10,000, to support bringing the Vietnam Memorial Wall to Buckeye in April of 2017. Councilmember Heustis stated he would like All Faith Community Services, the Patriotic Committee, and the Main Street Coalition to work together to move this event forward. A motion was made by Councilmember Heustis to approve the use of the Tourism Tax Fund to support bringing the Vietnam Memorial Wall to Buckeye in April of 2017 in an amount not to exceed \$10,000; and for the event to take place at the Sundance Park. Discussion was held regarding the ability of the wall to be placed in Sundance Park. A roll call vote was held. Councilmember Garza, Councilmember Orsborn, Councilmember McAchran, Councilmember Heustis, Vice Mayor Hess, and Mayor Meck voted nay. Motion failed. A motion was made by Councilmember Heustis to approve the use of the Tourism Tax Fund to support bringing the Vietnam Memorial Wall to Buckeye in April of 2017 in an amount not to exceed \$10,000; and attempting to place the Vietnam Memorial Wall at Sundance Park; if the Vietnam

Memorial Wall cannot be placed in Sundance Park, it would then return to Earl Edgar Park. Ron Noble, Main Street Coalition President, stated Main Street Coalition funds and time will be utilized for this event and it should therefore take place in the area serviced by the Main Street Coalition. Councilmember Heustis stated his support of Main Street Coalition; stated his interest in this event serving the entire City. General discussion was held regarding Main Street Coalition events and the location of the Vietnam Memorial Wall. Ms. Sedig clarified the Community Services Department will be the point of contact for this event. Mayor Meck seconded the motion. A roll call vote was held. Councilmember Garza, Councilmember Orsborn, Councilmember McAchran, Vice Mayor Hess, and Mayor Meck voted nay. Councilmember Heustis voted aye. Motion failed.

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to approve the use of the Tourism Tax Fund to support bringing the Vietnam Memorial Wall to Buckeye in April of 2017 in an amount not to exceed \$10,000. Councilmember Orsborn clarified his motion includes location of the event and the Vietnam Memorial Wall to be determined by staff. A roll call vote was held. Councilmember Garza, Councilmember Orsborn, Councilmember McAchran, Councilmember Heustis, Vice Mayor Hess, and Mayor Meck voted aye. Motion carried.

7H. Council will consider and accept the resignation of the City Manager and discuss, and if appropriate, appoint an interim City Manager.

A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to accept the resignation of the City Manager, Stephen Cleveland, and to appoint Assistant City Manager, Roger Klingler, as interim City Manager. Motion passed unanimously.

8. City Manager's Report and Government Relations – None.

9. Comments from the Mayor and Council

Councilmember Garza: requested information related to the appointment of the vacant District 4 seat; stated he has received requests for information related to the vacancy; provided comments related to the resignation of Mr. Cleveland as City Manager and stated the importance of careful consideration of the appointment of a new City Manager. Ms. Aja provided information related to public notice of appointment to the District 4 vacancy; the notice was posted on social media and the City's website and was published in two newspapers with general circulation in the City.

Councilmember Orsborn: no comment.

Councilmember McAchran: no comment.

Councilmember Heustis: congratulated library staff for their receipt of a \$25,000 grant presented by Secretary of State, Michelle Reagan.

Vice Mayor Hess: thanked Main Street Coalition and the Community Services Department for a successful Fourth of July event; congratulated Mayor Meck on his recent election as Vice Chair of the Maricopa Association of Governments (MAG).

Mayor Meck: no comment.

10. Council will make a motion to adjourn the meeting.

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to adjourn the meeting at 6:56 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting held on the 5th day of July, 2016. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk